IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 18TH OCTOBER 2007 / 26TH ASWINA 1929

WP(C).No. 30994 of 2007(M)

PETITIONER:

D. NELSON, AGED 57,
RETIRED PROFESSOR, RESIDING AT MATHA VIHAR,
NANTHRICKAL, VELLIMON P.O., PERINAD VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

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1. THE SECRETARY,
PERINAD GRAMA PANCHAYAT, CHEMMAKKADU P.O.,KOLLAM.

2. THE PERINAD GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, PERINAD,
CHEMMAKKADU P.O., KOLLAM.

3. THE TALUK SURVEYOR,
TALUK OFFICE, KOLLAM.

4. THE DISTRICT COLLECTOR, KOLLAM.

5. THE TAHSILDAR,
OFFICE OF TALUK TAHSILDAR, KOLLAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 30994 OF 2007

Dated this the 18th day of October, 2007

JUDGMENT

The grievance voiced by the petitioner is rather strange. The grievance is that respondents 1 & 2, the local Panchayat is violating Rule 220 B of the Panchayat Raj Act in the matter of the construction which has been undertaken by them. The petitioner has filed Ext.P5 application before the 5th respondent to have a demarcation of the properties so that the correct boundary can be fixed. The 5th respondent will take up Ext.P5 immediately, issue notice to the 1st respondent, hear the petitioner and the 1st respondent and take an early decision on Exty.P5, i.e., in any event within one month of receiving copy of this judgment. Once it is found that there is justification for granting of Ext.P5 the 5th respondent shall issue appropriate directions to the 3rd respondent, Taluk Surveyor, for early measurement of the properties.

PIUS C. KURIAKOSE, JUDGE

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